Certification of Mailing Under 37 CFR § 1.10

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date <u>December</u> 2003, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number Express Mail No.: EV 338302940US, addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Dexandria, VA 22313-1450.

DOCKET NO. 21545-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Frank Bergmann, et al.

EXAMINER: Unassigned

SERIAL NO.:

Unassigned

ART UNIT: Unassigned

FILED:

Even date herewith

For:

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INFORMATION DISCLOSURE STATEMENT

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant submits herewith a Form-1449, in compliance with the duty of disclosure requirements of 37 C.F.R. §1.56 1.97 and 1.98, listing accompanying documents that may be considered material to the examination of this application. This Information Disclosure Statement is being filed concurrently with the Request for a Utility Application. No certification or fee is therefore required under 37 C.F.R. § 1.97(b). However, should the Commissioner determine that fees are due in order for the Information Disclosure Statement to be considered at this stage, the Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 50-0812. A duplicate copy of this communication is enclosed.

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third

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parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested.

Respectfully submitted,

Date: December <u>\$</u>2003

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Fax: 510-814-2973

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FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office LIST OF INFORMATION CITED BY APPLICANT (Use several sheets if necessary)				Atty. Docket No. 21545-US1		Serial No. Unassigned			
				Applicant: Frank Bergmann, et al.					
			Filing I	Date: Even date	Group	: Unassigned			
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